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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

MAY 27 2009

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MM

IN THE MATTER OF THE JOINT APPLICATION
OF ACCERIS MANAGEMENT AND ACQUISITION
LLC, NEW ACCESS COMMUNICATIONS LLC
AND FIRST COMMUNICATIONS LLC FOR
APPROVAL OF THE TRANSFER OF ASSETS,
INCLUDING CUSTOMERS, OF ACCERIS
MANAGEMENT AND ACQUISITION LLC AND
NEW ACCESS COMMUNICATIONS LLC TO
FIRST COMMUNICATIONS LLC.

DOCKET NO. T-20473A-07-0076
DOCKET NO. T-20376A-07-0076
DOCKET NO. T-04006A-07-0076

PROCEDURAL ORDER

BY THE COMMISSION:

On February 1, 2007, First Communications, LLC ("First Communications"), Acceris Management and Acquisition, LLC ("Acceris"), and New Access Communications, LLC ("New Access") (jointly, "Applicants") filed an application seeking Arizona Corporation Commission ("Commission") approval pursuant to A.R.S. § 40-285.A to transfer the assets of Acceris and New Access to First.

On May 11, 2007, the Commission's Utilities Division ("Staff") filed a Letter of Insufficiency and First Set of Data Requests.

On June 8, 2007, Applicants filed a response to Staff's Letter and Data Requests.

No further action has occurred in this docket.

On May 14, 2009, in a separate docket (Docket No. T-20376A-05-0478), Staff filed an Update in which Staff stated that Acceris has been dissolved and is no longer doing business in any jurisdiction, and that the transaction contemplated in the Application in this docket was completed in March 2007.

In light of the information provided to the Commission by Staff's May 14, 2009 filing in

Docket No. T-20376A-05-0478, First Communications and Staff should make a filing in this docket recommending an appropriate means of proceeding in this docket.

IT IS THEREFORE ORDERED that in light of the information provided by Staff's May 14, 2009 filing in Docket No. T-20376A-05-0478, Staff and First Communications shall, on or before June 12, 2009, each make a filing recommending an appropriate means of proceeding in this docket.

IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 27th day of May, 2009.


TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 27th day of May, 2009 to:

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By: 
Debra Broyles
Secretary to Teena Wolfe